

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND ALFORD BRADFORD,

Plaintiff,

v.

DARNELL MEBANE, et al.,

Defendants.

No. 2:21-cv-1410 JAM CKD P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has not, however, paid the required filing fee of \$350.00 plus the \$52.00 administrative fee. Plaintiff is not permitted to proceed in forma pauperis in this action as it has been determined that he has “struck out” under 28 U.S.C. § 1915(g),<sup>1</sup> and, in his complaint, he does not seek relief with respect to conditions which adequately allege “imminent danger to serious physical injury.” Plaintiff complains about denial of access to courts with respect to claims regarding his medical care. He fails to point to facts suggesting that the care he is receiving, or the lack thereof, is causing him any imminent danger. Plaintiff also alleges that defendant Mebane, a Correctional Captain, has threatened that plaintiff would get “beaten up” if plaintiff does not “shut up.” This does not reflect an “imminent danger.” Furthermore, a mere

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<sup>1</sup> See Bradford v. German, 1:15-cv-1511 LJO BAM P, ECF No. 4.

threat generally does not form the basis of an actionable federal claim. E.g. Gaut v. Sunn, 810 F.2d 923, 925 (9th Cir. 1987).

Accordingly, IT IS HEREBY ORDERED that plaintiff submit the \$402.00 filing fee within 14 days. Plaintiff's failure to do so will result in a recommendation that this action be dismissed.

Dated: September 3, 2021

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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